



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



April 28, 2003

LETTER OF DEFICIENCY #WSEB 03-034
Certified Mail 7099 3400 0018 5776 3209

Douglas Currie
Century Village Condominiums
356 Winding Pond Road
Londonderry, NH 03053

Subject: Londonderry - Public Water System: Century Village Condominiums (EPA #1392180)

Dear Mr. Currie:

The records of the Department of Environmental Services (DES) show that the Century Village Condominiums water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis in compliance with NH Administrative Rule Env-Ws 325.

DES records show that a Standard Maximum Contaminant Level (MCL) violation for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 315.01, has occurred and that a letter of violation was issued for the following month:

April 2003

DES records also show that the system incurred bacteria MCL violations in August 2001 and June 2002. As a result of those violations, DES issued Letter of Deficiency ("LOD") #WSEB 02-49, dated June 28, 2002. That LOD requested the system to retain a qualified consultant to address the system's water quality problems and to submit a copy of the consultant's report, including recommendations and an implementation schedule, to DES for review. No formal response to the LOD was received by DES. The April 2003 bacteria MCL violation strongly suggests that the system has an underlying bacteria problem that has not yet been corrected.

DES believes the MCL violations can be corrected and future violations prevented by taking the following actions:

- By May 9, 2003**, retain the services of a qualified water system consultant to address the system's water quality problems relative to the recent bacteriological occurrences; and
- By May 23, 2003**, submit to DES for review a copy of the consultant's report which shall include recommendations to correct the bacteria contamination; and
- 3. **By May 30, 2003**, submit to DES for review and approval an implementation schedule which identifies specific dates by which steps to correct the bacteria contamination will be accomplished.

Pursuant to NH Admin. Rule Env-Ws 306, water systems are subject to periodic inspections or sanitary surveys by DES staff. The purpose of the sanitary survey is to determine the water system's compliance with RSA 485 and applicable rules relative to federal and state drinking water regulations. Significant deficiencies discovered during a sanitary survey must be corrected within 90 days of the date of inspection. Pursuant to Env-Ws 367, the certified operator of a water system serving more than 500 people must hold a Grade 1 Distribution and Treatment certification. On January 27, 1998, DES staff conducted a sanitary survey of the Water System. The January 29, 1998, sanitary survey report identified as a significant deficiency the system's lack of an operator holding the Grade 1 Distribution and Treatment certification. At the time of the sanitary survey, the system's certified operator, Michael McGahey, held a Combined ("C") 1-A certification. Currently, DES's records still indicate that Mr. McGahey is the system's operator and that he holds only the C 1-A certification. The lack of a certified operator of the proper grade places the system in violation of Env-Ws 367.

DES believes this significant deficiency can be corrected by taking the following actions:

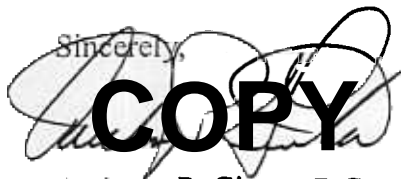
By May 23, 2003, retain the services of a certified operator who holds an active Grade 1 Distribution and Treatment certification and inform DES, in writing, of the name and certification number of the retained operator.

In the event compliance is not achieved within this period, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

All correspondence and documentation, as requested above, should be addressed as follows:

Alan Leach
Department of Environmental Services
Water Supply Engineering Bureau
6 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Please contact Alan Leach by phone at (603) 271-2854, or by e-mail at aleach@des.state.nh.us if you have any questions regarding this letter.

Sincerely,

COPY

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

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cc: Gretchen Rule, DES Legal Unit
James Smith, Health Officer, Town of Londonderry
Michael McGahey, Evergreen Management, Inc., Primary Operator/Sampling Agent
EPA Region I